

Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 48

SENATE BILL 1223

AN ACT

AMENDING SECTION 9-502, ARIZONA REVISED STATUTES; RELATING TO PUBLIC UTILITY
FRANCHISE BY MUNICIPALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-502, Arizona Revised Statutes, is amended to
3 read:

4 9-502. Petition for franchise; publication; election; term;
5 expenditures

6 A. A person desiring to obtain a franchise to operate a public utility
7 from a municipal corporation shall present the franchise desired to the
8 governing body of the municipal corporation, and it shall be filed among its
9 records.

10 B. If the governing body deems the granting of the franchise
11 beneficial to the municipal corporation, it shall pass a resolution, to be
12 spread upon its record, stating that fact, and shall submit the question to
13 the qualified electors as to whether or not the franchise shall be granted
14 at the following regular election held in the municipal corporation or at a
15 special election called for that purpose.

16 C. The proposed franchise shall be published in full in some newspaper
17 of general circulation published in the municipal corporation for at least
18 thirty consecutive days prior to the election.

19 D. If a majority of the votes cast is in favor of granting the
20 franchise, the governing body shall grant the franchise only in the form
21 filed and published.

22 E. A franchise shall not be granted for a longer term than twenty-five
23 years.

24 F. An election held pursuant to this section shall be held on a date
25 prescribed by section 16-204.

26 G. A PUBLIC UTILITY THAT SPENDS ONLY ITS OWN MONIES OR RESOURCES IN
27 SUPPORT OF ITS PROPOSED FRANCHISE FROM A MUNICIPAL CORPORATION TO OPERATE A
28 PUBLIC UTILITY IS EXEMPT FROM THE REQUIREMENTS OF TITLE 16, CHAPTER 6.

APPROVED BY THE GOVERNOR APRIL 7, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2003.

Passed the House April 1, 2003

by the following vote: 58 Ayes,

1 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Spencer L. Moore
Chief Clerk of the House

Passed the Senate February 25, 2003

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

Ken Blunt
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

2 day of April, 2003

at 12:30 o'clock P M.

Sandra Ramirez
Secretary to the Governor

Approved this 7 day of

April, 2003

at 2³⁰ o'clock P M.

Jon R. Noriega
Governor of Arizona

S.B. 1223

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17 day of April, 2003

at 4:27 o'clock P M.

Janice K. Brewer
Secretary of State